

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**OLIVIA RUX et al.,**

**Petitioners,**

**- against -**

**ABN-AMRO BANK N.V., et al.,**

**Respondents.**

**08 Civ. 6588 (AKH)**

**DECLARATION**

I, MOHAMMED ABDALLA AHMED BAASHER, declare as follows:

1. I am <sup>a director</sup> ~~an officer~~ and a minority shareholder of Baasher Barwil Agencies Ltd. ("Baasher Barwil"), a shipping agency that is a subsidiary of Barwil Agencies A.S. Oslo ("Barwil"), a Norwegian majority-owned international shipping agency with its headquarters in Oslo, Norway.
2. I have knowledge of the facts set forth in this declaration.
3. I make this declaration at the request of representatives of Barwil, in response to a notice from this Court dated September 22, 2008, addressed to "those persons or entities which may claim an interest in funds blocked by regulations affecting the Republic of Sudan."
4. The purpose of this declaration is to advise the Court that certain funds that have been deposited into the Court Registry pursuant to court order are not the property of the Government of Sudan ("Sudan") or its agencies or instrumentalities.
5. In particular, this declaration confirms that neither I nor Baasher Barwil nor any of its other shareholders is owned or controlled by Sudan or any agency or instrumentality of Sudan.

6. Accordingly, I respectfully request that the subject funds be returned to the bank which held them prior to deposit into the Court Registry, so that steps can be taken to release them from restrictions imposed by the Office of Foreign Assets Control ("OFAC") of the U.S. Department of the Treasury.

**The Subject Wire Transfer**

7. There is one wire transfer that Barwil initiated that I understand were blocked in accordance with OFAC regulations. There is \$225,697.89 wire transfer dated 25 March 2008, pursuant to instructions from Barwil, for my ultimate benefit as a minority shareholder of Baasher Barwil.

**The Nature and Purpose of the Wire Transfer**

8. The wire transfer was a dividend payment to me as minority shareholder of Baasher Barwil.

9. The wire transfer was ordinary and necessary transactions in the course of the business of Baasher Barwil, and neither the Government of Sudan nor any agency or instrumentality thereof had, or has, any interest in those funds.

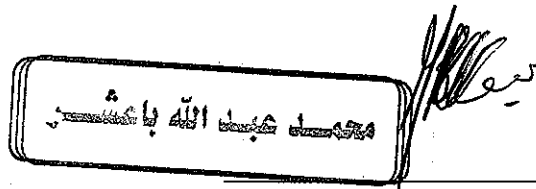
10. If the Court requires further information from me in connection with this matter, I will make every effort to provide it.

WHEREFORE, I respectfully request that the Court determine that the subject wire transfer are not property of Sudan (or any agency or instrumentality thereof), so that those funds (including accumulated interest thereon) may be unblocked.

I declare under penalty of perjury under the laws of the United States of America, in accordance with 28 U.S.C. § 1746, that the forgoing is true and correct.

Executed this 13 day of November 2008.

PORT SUDAN, SUDAN

A handwritten signature in black ink is written over a rectangular stamp. The stamp contains the Arabic text "محمد عبد الله باعشر" (Mohammed Abdalla Ahmed Baasher) in a stylized font.

Mohammed Abdalla Ahmed Baasher